

Remarks

By this Amendment, claims 11-13, 17, and 18 are amended and claim 16 is canceled. After entry of this Amendment, claims 1-15 and 16-28 are pending in the present application. Reconsideration in view of the amendments and the following remarks is requested.

Applicant thanks the Examiner for indicating that claims 1-10 and 21-28 are allowed and that claims 13, 14 and 18-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Claims 13 and 18 are now presented as independent claims incorporating the limitations of these claims as previously presented and should now be allowed. Claim 14 depends from claim 13 and should also be allowed. Claims 19 and 20 depend from claim 18 and should also be allowed.

Applicant's attorney discussed proposed amendments for claims 11 and 17 with Examiner Smith in a telephone interview on August 16, 2005 and August 18, 2005.

As discussed in the interview of August 16, 2005, claim 11 has been amended to recite a tool comprising non-movable, first and second siding-engaging portions being at fixed, non-adjustable locations with respect to each other (added language underlined). Examiner Smith indicated that this amendment appeared to overcome the rejection of claim 11 but would be subject to further search and/or consideration.

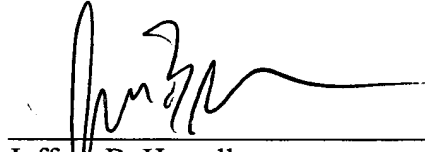
Claim 17 has been amended to include subject matter from claim 16 (which is now canceled) and to further recite "first and second siding engaging surfaces being non-parallel to each other and non-perpendicular to a longitudinal axis of the body." In the illustrated embodiment of the application, this feature can be seen in FIG. 2, which shows siding engaging surfaces 34, 34' angled downwardly and inwardly with respect to each other and a longitudinal axis L of the tool so as to generally correspond to the taper of the top and bottom edges of a piece of siding. Unlike the instantly claimed tool, the tool disclosed in U.S. Patent No. 5,291,719 to Buster has siding engaging surfaces 5a, 5b that are parallel to each other and perpendicular to a longitudinal axis extending the length of the tool. Accordingly, claim 17 is not anticipated or rendered obvious by Buster and should be allowed.

The present application is in condition for allowance and such action is respectfully requested. If any further issues remain concerning this application, the Examiner is invited to call the undersigned to discuss such matters.

Respectfully submitted,

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